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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 **(HONORABLE ROGER T. BENITEZ)**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 **ARTURO MORENO, JR. (2),**

15 Defendant.
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) Case No. **08CR0546-BEN**

) DATE: September 15, 2008

) TIME: 2:00 p.m.

) DEFENDANT'S NOTICE OF MOTIONS AND
MOTIONS *IN LIMINE* AND TO:

) (1) EXCLUDE HEARSAY STATEMENTS
ABOUT SUPPOSED FINANCIAL
ARRANGEMENTS;

) (2) EXCLUDE 404(B) AND/OR 609 EVIDENCE;

) (3) EXCLUDE ANY EXPERT TESTIMONY;

) (4) PREVENT A COPY OF THE INDICTMENT
FROM BEING SUBMITTED DURING

) DELIBERATIONS;

) (5) ALLOW ATTORNEY-CONDUCTED VOIR
DIRE;

) (6) DISCLOSE GRAND JURY TRANSCRIPTS;

) (7) PROVIDE A SEPARATE COPY OF THE
JURY INSTRUCTIONS FOR EACH JUROR

) DURING DELIBERATIONS;

) (8) PROHIBIT IMPERMISSIBLE VOUCHING,
INCLUDING VOUCHING OF ANY
COOPERATING WITNESS;

) (9) PRECLUDE EVIDENCE OF ANY POST-
ARREST SILENCE;

) (10) SEVER DEFENDANTS; AND

) (11) GRANT LEAVE TO FILE FURTHER
MOTIONS.
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26 TO: KAREN HEWITT, UNITED STATES ATTORNEY; AND
RANDY JONES, ASSISTANT UNITED STATES ATTORNEY;
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28 PLEASE TAKE NOTICE that, on April 1, at 9:00 a.m., or as soon thereafter as counsel may be heard,

Defendant Arturo Moreno, Jr., by and through her attorneys, Stephen D. Demik and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions *in limine*.

MOTIONS

Defendant Arturo Moreno, Jr., by and through her attorneys, Stephen D. Demik and Federal Defenders of San Diego, Inc., moves this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order:

- (1) Excluding hearsay statements about supposed financial arrangements;
- (2) Excluding 404(b) and/or 609 evidence;
- (3) Excluding any expert testimony;
- (4) Preventing a copy of the indictment from being submitted during deliberations;
- (5) Allowing attorney-conducted voir dire;
- (6) Disclosing grand jury transcripts;
- (7) Providing a separate copy of the jury instructions for each juror during deliberations;
- (8) Preclude Impermissible Vouching by the Government or its Witnesses During the Trial;
- (9) Precluding Evidence of any post-arrest silence;
- (10) Severing defendants; and
- (11) Granting leave to file further motions.

These motions *in limine* are based upon the instant motions *in limine* and notice of motions *in limine*, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

DATED: September 8, 2008

/s/ Stephen D. Demik
STEPHEN D. DEMIK
 Federal Defenders of San Diego, Inc.
 Attorneys for Mr. Moreno, Jr.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARTURO MORENO, JR. (2),

Defendant.

Case No. 08cr0546-BEN

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing pleading, is true and accurate to the best of her information and belief, and that a copy of the foregoing has been electronically served this day upon:

Randy K Jones

Randy.Jones2@usdoj.gov,efile.dkt.gc1@usdoj.gov,Stephanie.Delgadillo@usdoj.gov

Dated: September 8, 2008

/s/ Stephen D. Demik

STEPHEN D. DEMIK

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